

Amman First Instance Court
Urgent Matters
Case No. 2949/2006

The Hashemite Kingdom of Jordan
Ministry of Justice
Urgent Judgment

Issued by the Judge Ms. Fida' Al-Hmood
who is permitted to perform the Trial and issue the Judgment in the name of the King
of the Hashemite Kingdom of Jordan his Majesty Abdullah II Ibn Al-Hussain

The Claimant, the Palestinian Investment Fund, and its representatives the Attorneys
Salah aldin Albashir, Islam Alsmadi, Jamal Alhamawi and Others
Have submitted this request in the Case No. 2949/2006 against

The Defendants:

1. Judith Dasberg, in her personal capacity, and in the capacity of a heiress in the estate of the late Yaron Ungar in addition to the estate
2. Meir Weininger
3. Yehoshua Cohen
4. Professor Meir Ungar
5. Uri Dasberg
6. Amichai Ungar
7. Yochanan Harris
8. Yousef Meir

The Claimant requests issuing an urgent judgment to prevent the Defendants from conducting any action that may link or give the impression that those defendants are affiliated with the management of the Claimant's Company and to refrain the Defendants from committing any attempts that could deceive others to believe of the existence of such relation. And also to affirm the right of the current board of directors to manage the company in the Hashemite Kingdom of Jordan.

The Urgent Matters Judge has previously issued a decision on 10/11/2006 stating that the conditions which should be available to execute the Urgent Judiciary are not met in this case according to Article 32 of the Civil Procedure Code. But the Claimant was not satisfied in such decision. Therefore, the Claimant appealed that decision and the Court of Appeal had decided in its decision No. 224/2006 that requesting the issuance of a temporary decision to prevent the Defendants from acting as the board of directors of the Claimant's company and to affirm the right of the current board of directors to manage the company in the Hashemite Kingdom of Jordan till the subject matter of this Case is finalized does not contradict with the Law on the contrary it complies with Article 32/1 of the Civil Procedures Code. This decision is based on the submitted papers and documents which reflect that there is a serious conflict concerning the administration of the Claimant's Company. Therefore, the Court of Appeal has decided to revoke the Judgment which has been issued by the Urgent Matters Judge and to examine the submitted evidence to issue a decision concerning the subject matter of the request.

After Examination:

In reference to the evidence and documents which were submitted by the Claimant which are; a copy of the District of Rhode Island Court's Judgment dated July, 2004 along with its Judgment issued on 19/06/2006. In addition, the registration certificate of the Claimant which outlines the authorized signatories and the names of the members of the board of directors. And also a letter sent by the Defendants to the Arab Bank to modify the names of the owners of the Palestinian Investment Fund.

As a result and in reference to the Judgment of the Court of Appeal, I find that there is a necessity to revert to the Urgent Judiciary to protect the most deserving party of protection in the Case, particularly because of the existence of imminent danger in regard of the administration of the Claimant's Company, the nature of its relation with others, and its right to be represented before those others which could cause the Claimant damages that are irreversible in the future if this conflict was left to the normal court, which renders the Claimant the most deserving party of protection at this stage.

Therefore, I decide to issue an Urgent Judgment preventing the Defendants from committing any act that may reflect that they are affiliated with the management of the Claimant's Company and to refrain the Defendants from committing any attempts that could deceive others to believe of the existence of such relation. And also to affirm the right of the current board of directors to manage the company till the Case is finalized, which is filed before the Court of First Instance, under No. 2949/2006 providing that the Claimant shall provide a Notarized Guaranty amounting 40000 JD to ensure whatever damages that might affect the Defendants, and to postpone issuance of any documents until providing the required Notarized Guaranty.

A Judgment may be appealed issued on 27/11/2006

The Urgent Matters Judge

Fida' Al-hmood